

REMARKS

Claims 12-16, 18-20, 22, and 23 are pending in this application. Non-elected claims 14, 15, 19, and 20 have been withdrawn from consideration by the Examiner. By this Amendment, claims 12, 14, 16, 18, 19, and 23 are amended and claims 17 and 21 are canceled. Support for the amendments to the claims may be found, for example, in the claims as originally filed. No new matter is added.

In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration and allowance.

I. Telephone Interview and Entry of the Amendments

The courtesies extended to Applicants' representative by Examiner Lucas during the telephonic interviews held August 3, 2009 and September 3, 2009, are appreciated. The reasons presented during the interview as warranting entry of the amendments and favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

As discussed during the August 3, 2009 interview, entry of the amendments is proper in this case because (1) the amendments overcome the rejections of record and (2) the amendments cancel non-elected embodiments. *See* August 3, 2009 Interview Summary, Continuation Sheet.

Entry of the amendments is also proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are

necessary and were not earlier presented because they are made in response to arguments raised in the Advisory Action.

Thus, for at least the above reasons, entry of the amendments is respectfully requested.

Also, Applicant's thank the Examiner for indicating during the September 3, 2009 interview that amendments to the claims including "mixtures of anti-MSRV/HERV-W Env-SU antibodies and anti-toll-like receptor 4 antibodies" will likely be entered if the non-elected embodiments are canceled. *See* September 3, 2009 Interview Summary

II. Claim Objections

The Office Action objects to claims 12, 18, and 23 for an informality. By this Amendment, claims 12, 18, and 23 are amended to overcome the objection. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objections.

III. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 12, 13, and 16-18 as being indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claim 17 is canceled, rendering its rejection moot. As to the remaining claims, claims 12, 16, and 18 are amended according to the Examiner's helpful suggestion. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. Enablement Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claim 16 under the enablement requirement of 35 U.S.C. §112, first paragraph. Without conceding the propriety of the rejection, claim 16 is amended to recite:

16. A method of treating multiple sclerosis, the method comprising administering to an individual having multiple sclerosis the composition of claim 12.

This amendment incorporates the subject matter of non-rejected and canceled claim 17. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

V. Rejoinder

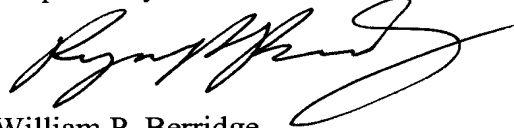
Applicants also respectfully request rejoinder of non-elected product claims 14 and 15 and method claims 19 and 20. Because claims 14 and 15 depend from claim 12 and claims 19 and 20 depend from claim 18, unity of invention exists between these claims and as a result, they should be rejoined. Accordingly, Applicants respectfully request rejoinder of claims 14, 15, 19, and 20.

VI. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of the application.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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